

SB0051_JoShifrin_FAV

Date of Hearing: Feb. 2, 2023

Jo Shifrin

Bethesda, MD 20817

TESTIMONY ON SB0051- POSITION: FAVORABLE

Criminal Procedure - Reasonable Suspicion and Probable Cause - Cannabis

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Jo Shifrin

OPENING: My name is Jo Shifrin. I am a resident of District 16. I am submitting this testimony in support of SB0051, Criminal Procedure - Reasonable Suspicion and Probable Cause - Cannabis.

I am a resident of Bethesda and a Jew. The concept of *tzelem elohim* – the idea that all people are created in the Divine image and therefore are equally precious and worthy of dignity and respect – is central to Judaism. It is so central that our sacred texts teach us that the destruction of one life is the same as destroying the whole world. Unfortunately, in Maryland, we know that lives are destroyed every day through the interactions between the police and people of color.

Since the advent of the War on Drugs, people of color have been disproportionately arrested and convicted of drug possession. Their history of incarceration, even when they have completed serving their time, often prevents them from engaging in the things that we take for granted, like renting a place to live and being employed.

The scent of cannabis is overused as a rationale for searches. Odor stops and searches facilitate racial profiling. In Maryland, police are twice as likely to search Black drivers and their vehicles during traffic stops than white drivers.

An overwhelming majority of Maryland voters have decided that the use of marijuana should be decriminalized. Even with the change in Maryland law, situations would still remain in which police officers would be able to stop and search an individual or their vehicle based on *the officers' assertion* that there was an odor of cannabis. This infringes on everyone's right to privacy. Moreover, given the degree of systemic racism in our country, it is not surprising that Blacks and other people of color have been – and are more likely to continue to be – stopped and searched using this rationale. And, as we know, police stops have led to interactions in which people have been harmed or killed.

Now that the recreational use of cannabis is legal, it doesn't make sense for the odor associated with its use to be the basis for interactions between the people of Maryland and the police. I believe that the removal of these pretextual stops will keep all Marylanders safer. **I respectfully urge this committee to return a favorable report on SB0051.**